Ontario

Landlord and Tenant Board

# Annual Report 2008-2009

**Minister of Municipal Affairs and Housing**

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel. (416) 585-7000
Fax (416) 585-6470
www.mah.gov.on.ca

**Ministre des Affaires municipales et du Logement**

777, rue Bay, 17e étage
Toronto ON M5G 2E5
Tél. (416) 585-7000
Télec. (416) 585-6470
www.mah.gov.on.ca

Ontario

TO THE LIEUTENANT GOVERNOR
OF THE PROVINCE OF ONTARIO

MAY IT PLEASE YOUR HONOUR:

For the information of Your Honour and the Legislative Assembly, we have the privilege of presenting the Annual Report of the Landlord and Tenant Board for the 2008-2009 fiscal year.

Respectfully submitted,

Hon. Jim Watson
Minister of Municipal Affairs and Housing

**Landlord and Tenant Board**

Office of the Chair

777 Bay Street, 12th Floor
Toronto, Ontario M5G 2E5
Tel: (416) 585-7295
Fax: (416) 585-6363

**Commission de la location immobilière**

Bureau du Président

777, rue Bay, 12e étage
Toronto (Ontario) M5G 2E5
Tel: 416-585-7295
Telec: 416-585-6363

Ontario

June 29, 2009

TO THE HONOURABLE JIM WATSON
MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

MINISTER:

I have the honour to submit the Landlord and Tenant Board Annual Report for the 2008-2009 fiscal year.

Respectfully submitted,

Dr. Lilian Ma
Chair
Landlord and Tenant Board

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# CHAIR'S MESSAGE

*I am pleased to report that over the past year, the Landlord and Tenant Board (the Board, the LTB) succeeded in resolving disputes between landlords and tenants in an expedient manner without any backlog. This, despite the fact that the Board's application receipts increased by approximately 6.5% over last year.*

*The Board has made progress over the past year on a number of important initiatives which will enable it to improve the quality and timeliness of its work as well as service to its clients. These initiatives include: electronic hearing pilot projects; a "Case Manager" pilot project; publication of redacted orders on the Board's website; release of an internal administrative policy on privacy and access to information; development of a human rights strategy and progress on a new case management system, Cmore (pronounced See-more). For more information about these initiatives, please refer to the "Year in Review" section of this report.*

*I wish to acknowledge the valuable feedback and input of stakeholders from the tenant and landlord communities. The on-going dialogue between the Board and these stakeholder representatives ensures that the views of both landlord and tenant groups are given the necessary attention in the development of procedures, forms, Rules of Practice and Interpretation Guidelines.*

*I am grateful to the Members and staff of the Board who work together closely as a team to fulfill the LTB's dual mandate of providing information to landlords and tenants on their rights and obligations and providing dispute resolution through mediation and adjudication.*

*I appreciate the diligent efforts of Board Vice Chairs and Members in issuing decisions in keeping with the principles of timeliness, accessibility, fairness and customer focus. Together these principles underscore the effectiveness of the Board. The focus of the Board is to ensure that these principles are incorporated at every step in the execution of its mandate without fettering the independent decision-making power of the Board Members.*

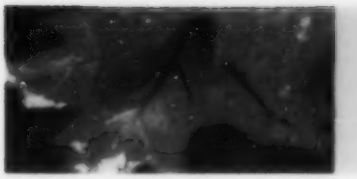
*The Vice Chairs also play an important role in leading various committees and in the policy work they do for the Board. My appreciation and thanks go to Murray Graham, Kim Bugby, Eli Fellman, Régent Gagnon, Sean Henry, Guy Savoie and Jonelle van Delft.*

*I also acknowledge and thank the Board's administrative and legal staff – in particular, Diana Macri, Director of Operations and Anne McChesney, Director of Legal Services – for the leadership and high quality of service they provide in support of the Board's quasi-judicial mandate. I also wish to acknowledge the valuable support of my Executive Assistant, Suzanne Evans, and my Administrative Assistant, Sue Woodland.*

*This past year, the Board said good-bye to two people who contributed significantly to its success. In June 2008, Rick Hennessy, the Regional Manager of the Board's Toronto North regional office left to take up the position of Registrar at the new Human Rights Tribunal of Ontario. Rick participated in five major changes in landlord/tenant legislation. In January 2009, Dianne Dougall said good-bye to public service and retired from her position as Legal Director at the Board. Dianne has made an immense contribution throughout her 24-year career at the Ministry of the Attorney General.*

Sincerely,

Lilian Ma, Ph.D., LL.B.
Chair
Landlord and Tenant Board



# Year in Review

At the onset of the 2008-2009 fiscal year, the Board had just completed its first full year of implementing the *Residential Tenancies Act, 2006* (the RTA). That year, 2007-2008, the Board achieved a period of stability in its administration of the RTA, following a smooth transition on January 31, 2007.

In 2008-2009, the Board turned its attention to opportunities for enhancing its service delivery - such as the development of a new case management system, the publication of redacted orders, the monitoring and adjusting of its case management practices to improve accessibility and timely service to its clients, as well as the effective use of its resources.

**Highlights:**

- *Electronic Hearings Pilot Project*
- *Case Manager Pilot Project*
- *Redacted Orders*
- *Administrative Policy on Privacy and Access to Information*
- *Human Rights Guideline*
- *New Case Management System*

## Electronic Hearings Pilot Project

In January 2009, the LTB introduced a six-month pilot project expanding the use of telephone and videoconference technologies for mediation and hearings in a few locations across the province. The Board has used teleconference and videoconference hearings widely in northern Ontario for a number of years, therefore it was anticipated that this initiative would allow the Board to provide more timely service in the pilot areas and improve accessibility. The areas in which the pilot projects were implemented were the counties of Bruce, Grey, Haldimand/Norfolk and Huron for telephone hearings. Face-to-face hearings were held where telephone hearings were not appropriate.

Initial results of the pilot projects show that telephone hearings work well where applications are uncontested. In the district of Thunder Bay, the Board introduced videoconferencing augmented by teleconferencing for hearings.

## Case Manager Pilot Project

In its busy urban offices, the LTB normally conducts hearings in more than one hearing room simultaneously. However, each hearing block contains 40-50 cases, many of which are uncontested on the day of the hearing.

In March 2009, the LTB's Toronto North regional office began a "Case Manager" pilot project to seek ways to improve the handling of cases on the hearing day. The goal of the pilot project was to explore options for disposing of simple matters quickly (such as requests for withdrawals, adjournments and uncontested cases), thus allowing the Member(s) sufficient time to deal with more complex cases. As a result, the idea of having a Case Manager to triage the cases on the day of hearing evolved.

In the first model explored, the role of the Case Manager was to triage the cases that appear on the hearing docket. Contested matters were sent to the Hearing Member(s) or the Mediator(s).

# YEAR IN REVIEW

depending on the interests of the parties and/or the suitability of the issues. Uncontested matters, withdrawal requests, consent and straightforward adjournment requests and consent orders were handled by the Case Manager who is also a Board Member.

In the second model, all straightforward cases were sent from the Hearing Member(s) to the Case Manager.

At the end of the 2008-2009 fiscal year, the LTB is examining a third model in which all parties on their first appearance for a case go before the Case Manager, while second appearances go straight to a Hearing Member. In this model, the scheduling of cases will also be changed to achieve the optimal result. The results of these projects will be evaluated in 2009-10.

During the next year, the Board will continue to explore the practicality of the Case Manager role as well as the potential benefit of further changes to scheduling practices and standards to facilitate hearing day management.

## Redacted Orders

Also in March 2009, to provide the public with transparency of its decisions, the Board began posting redacted orders on its website. Redacted orders are orders from which information has been removed to protect the privacy of individuals named in the order, having regard to the provisions of the *Freedom of Information and Protection of Privacy Act*.

The orders being redacted are those that result from contested applications. The work involved in redacting orders is a joint effort of Board Members and staff. Members write their decisions in a "pre-redaction" format which facilitates the transfer and organization of orders on the Board's website, by application type, month and region.

The Board continues to post summaries of its selected decisions. Selected decisions are decisions chosen by a committee of the Board. These decisions are not binding on Members of the Board, nor are they intended to reflect the official position of the Board on how to interpret or apply the law. The criteria that are applied in choosing selected decisions are set out on the Board's website.

## Administrative Policy on Privacy and Access to Information

In April 2009, an Administrative Policy on Privacy and Access to Information was issued to all Board staff and Members. The policy sets out the Board's policy and procedures related to access to Board information by the public. It also sets out measures the Board has taken to protect the privacy of individuals whose personal information is in the Board's possession. The policy incorporates best practices concerning the handling of paper files and electronic devices.

# Year in Review

## Human Rights Guideline

Over the course of the fiscal year, the Board's Rules and Guidelines committee developed a Human Rights Guideline as part of the Board's overall Human Rights Strategy to address its obligations under the *Human Rights Code* (the Code). The Board consulted with members of the Stakeholder Advisory Committee and the Ontario Human Rights Commission on its draft Guideline.

The Guideline, which addresses the various Code issues that may arise in a Board proceeding, is expected to be released in the summer 2009.

In conjunction with the development of the Human Rights Guideline, the Board has been developing tools and training to assist Board Members and staff in ensuring that the Board continues to meet its obligations under the Code.

## New Case Management System

The Board's increased workload over the past fiscal year has represented a challenge, particularly as the Board has been managing budgetary pressures through vacancy management.

Since the fall of 2008, the Board has also been diverting call centre resources to assist in testing its new case management system, Cmore, which was launched shortly after the end of the fiscal year covered by this report.[1] The patience and understanding of the Board's clients who have coped with longer than usual wait-times on the call centre and at the front counters is very much appreciated.

The work the Board has done over the past year has laid the foundation for its future success in meeting the needs of the landlord and tenant community in Ontario. The Board is committed to working with its stakeholders to achieve service excellence.

[1] *Cmore was launched successfully on April 27, 2009.*

# The Role of the Board

Section 1 of the *Residential Tenancies Act, 2006* (the RTA) sets out the purposes of the Act, as follows:

- provide protection for residential tenants from unlawful rent increases and unlawful evictions;
- establish a framework for the regulation of residential rent;
- balance the rights and responsibilities of residential landlords and tenants; and,
- provide for the adjudication of disputes and for other processes to informally resolve disputes.

## Dual Mandate

The RTA, which establishes the Landlord and Tenant Board, confers a dual mandate on the Board.

Firstly, the LTB exercises a quasi-judicial function under subsection 168(2) of the RTA, which provides that the Board has jurisdiction to determine all applications under the RTA, and section 174, which provides the Board with the authority to hear and determine all questions of law and fact with respect to all matters within its jurisdiction under the Act.

Second, pursuant to section 177 of the RTA, the LTB is required to give information to landlords and tenants about their rights and obligations.

## Mission Statement

Thus the Board has adopted the following Mission Statement: The mission of the Landlord and Tenant Board is to inform landlords and tenants about their rights and responsibilities under the *Residential Tenancies Act* and provide balanced and timely dispute resolution in accordance with the law.

The Board strives to provide, pursuant to section 183 of the RTA, the most expeditious method of determining the questions arising in a proceeding and to provide parties an adequate opportunity to know the issues and to be heard on the matter.

***"The mission of the Landlord and Tenant Board is to inform landlords and tenants about their rights and responsibilities under the Residential Tenancies Act and provide balanced and timely dispute resolution in accordance with the law".***

# The Adjudication Process

The LTB handles a large volume of cases, resulting from the significant number of renters in Ontario (approximately 29% of Ontario's households[2]). The Board strives to ensure that its application resolution process meets both efficiency and quality service objectives. LTB adjudication is a final method used to resolve disputes between landlords and tenants. It consists of a hearing where the two parties appear before a Board Member who hears the case and makes a decision in accordance with the law.

## Application Types

The work of the Board can be divided on a "case type" basis (see page 18, *Applications by Type*). The bulk of the Board's workload consists of applications from landlords to terminate the tenancy and evict for non-payment of rent and to collect arrears of rent (Form L1). The most common tenant application is an application about tenant rights (Form T2), dealing with such issues as illegal entry and interference with reasonable enjoyment of the rental unit. Another type of application the Board handles is a landlord's application for an above-guideline rent increase (Form L5), which often involves multiple tenants.

## Average Processing Times

The following table illustrates the average length of time from the filing of an application to the initial hearing date for these applications, and the average time from the final hearing date to the date the order is issued. These statistics on timelines generally correspond to the complexity of the application types:

| Application Type | Average time from application filing date to initial hearing date | Average time from hearing date to order issuance date |
|---|---|---|
| Form L1 | 21.5 days | 1.56 days |
| Form T2 | 33.09 days | 5.78 days |
| Form L5 | 89.55 days | 14.5 days |

## Board Member Appointments

When an application is filed with the Board, it will most likely result in a decision from a Board Member. Board Members, appointed by Order-in-Council, perform the function of adjudicators of the applications. They are selected from a list of qualified candidates who have applied to the Public Appointments Secretariat. They undergo a rigorous and competitive interview and selection process and, based on the results of the interview process, the Chair will make recommendations to the Minister in regard to their appointment. The Minister makes a recommendation to the Cabinet who decides on the appointment.

[2] 2006 Census data obtained from Statistics Canada. The population of Ontario was approximately 12 million at the time of the 2006 Census.

### Board Member Appointments *(Cont'd)*

Once Members are appointed to the Board, they receive the necessary training from the Board to become adjudicators. The initial training period, which spans a number of weeks, incorporates classroom instruction, hearing room observation and simulation and mentoring. The training provided by the Board, augmented by their previous experience and knowledge, prepares the Members to deal fairly and effectively with the issues that come before them.

Most Members are on full-time appointments; there are also some part-time Members. The Members report to the Chair of the Board, through a regional Vice Chair, and are located in different areas of the province as there are 8 regional offices to facilitate regional representation and service delivery.

### Professional Development

Members from across the province meet together once a year for professional development. They also meet more frequently in their regions. These meetings provide on-going training and address any emerging issues. New case law or legislation that has a direct impact on their decision-making are summarized in legal memos by the Board's Legal Services Branch and distributed to Members. A minimum of four days are set aside each year for Members' continuing professional development. At times, Members also use on-line training to facilitate access. A professional development committee headed by a Vice Chair oversees ongoing educational opportunities for the Members.

### Rule and Guideline Making

Although Board Members are independent decision-makers, the Board has an interest in achieving consistency and coherence in decision making. Rule and Guideline-making are mandated legislatively (section 176 of the RTA).

The Board has adopted the following process as a means of elevating an issue to the point of requiring rule or guideline-making. Issues that are identified from discussions held at regional Members' meetings, or by the Board's Legal Services Branch (LSB) or Program Development Unit (PDU), or from discussions with stakeholders, are first presented and discussed at "roundtables" of Vice Chairs.

When there is consensus or a preferred position is reached with respect to an interpretation of the legislation by the Vice Chairs, with the input of LSB and PDU, the matter may be referred to the Rules and Guidelines Committee for the development of a new or revised Rule or Guideline. Then, before new or proposed changes to the Rules and Guidelines are finalized, they are sent to members of the Board's Stakeholder Advisory Committee for consultation prior to being adopted by the Board and posted on the Board's website for the public.

Guidelines are not binding on Members in their decision-making, but they should generally be followed unless there is reason not to do so. The guidelines are available to the public so that parties know what to expect when they come before the Board.

### Committee Work

Many Board Members, including Vice Chairs, sit on committees and working groups such as the Rules and Guidelines Committee, the CaseLoad Order Group (to review the format of Board orders), the Selected Decisions Committee, the Adjudicative Best Practices Committee, the Capacity Committee and other groups that gather opinions on specific issues. Vice Chairs often lead these committees which are constituted of Board Members, staff and legal services. Committee work is an important aspect of the work of the Board, as the Board seeks to identify and address important legal and procedural issues.

# THE MEDIATION PROCESS

The Landlord and Tenant Board employs 25 Mediators throughout the province to provide voluntary mediation services to parties involved in applications before the Board. An application can be resolved through:

- adjudication (an order is signed by a Board Member),
- mediation (an agreement is signed by the parties only), or
- a consent order (an order based on an agreement between the parties is signed by a Member).

## How Mediation Works

In adjudication, the outcome is decided by a Board Member, within the limits of the provisions of the legislation, having regard to all the evidence and circumstances elicited at the hearing. In mediation, however, the parties voluntarily work with a Board Mediator to achieve a desired outcome for the parties, which may contain terms outside the limits provided by the legislation. If successful, they will resolve their disputes through a mediated agreement signed by the parties, copies of which are not kept by the Board. Sometimes, parties choose, after mediation, to come before a Board Member to obtain a consent order which is enforceable under the RTA.

Mediation is a valuable tool in the daily work of the Board. Next year, the Board anticipates the recruitment of a Mediator Manager to oversee the management and performance of the Mediators at a provincial level. The Manager will establish a preferred approach to mediation, finalize the mediation best practices, and develop protocols, standards and performance measures.

## Benefits of Mediation

During the 2008-2009 fiscal year, approximately 43% of all applications where both parties showed up at the hearing were successfully resolved through mediated agreements and/or resulted in consent orders. Mediation continues to be an important and effective non-adversarial method of resolving disputes, helping to save tenancies and reduce social costs, while strengthening the relationships between landlords and tenants.

# Office & Hearing Locations

The Board strives to make its services accessible to Ontarians across the province. There are eight Regional Board Offices which offer full services to clients. Landlords and tenants can file applications and obtain information from one of the Board's customer service representatives about their rights and obligations under the law, as well as attend hearings and participate in mediation.

## Regional Offices

Approximately 65% of LTB hearings are held in these eight Regional Offices located in:

- Hamilton (Southern Region)
- London (Southwest Region)
- Mississauga (Central Region)
- Ottawa (Eastern Region)
- Sudbury (Northern Region)
- Toronto East - Scarborough area (Toronto East/Durham Region)
- Toronto North - North York area (Toronto North Region)
- Toronto South - Downtown area (Toronto South Region)

## Off -site Hearing Locations

There are 36 "off-site" hearing locations to which Board Members and Mediators travel for hearings on a regular basis. These are: Barrie, Belleville, Bracebridge, Brantford, Brockville, Burlington, Chatham, Cobourg, Cornwall, Dryden, Elliott Lake, Goderich, Guelph, Hawkesbury, Kingston, Kitchener, Lindsay, Newmarket, North Bay, Orangeville, Owen Sound, Pembroke, Perth, Peterborough, Port Elgin, Sarnia, Sault Ste. Marie, Simcoe, St. Catharines, St. Thomas, Stratford, Thunder Bay, Timmins, Whitby, Windsor and Woodstock.

## Electronic Hearings Pilot Project

There are also a number of locations, particularly in the northern parts of the province, where the Board holds hearings by videoconference and teleconference. In late 2008, the Board began considering how technology can help deliver services in a more timely and accessible manner. To that end, in early 2009, a pilot project was initiated to test the expanded use of telephone and videoconference technologies for mediation and hearings in a few locations across the province. The areas affected are the counties of Bruce, Grey, Haldimand / Norfolk and Huron where telephone hearings were piloted, as well as the district of Thunder Bay where videoconference hearings were piloted.

*Sudbury Ontario*

# Office & Hearing Locations

### ServiceOntario Partnership

The Board has also partnered with ServiceOntario in over 70 locations across the province, to distribute forms and brochures, and to receive applications and other documents on behalf of the Board. This move helps to improve front-counter accessibility for clients throughout the province.

In the fall of 2008, the Board successfully transferred the responsibility for providing front-counter services from satellite offices in nine locations to ServiceOntario. The locations are: Kingston, Peterborough, Whitby, Barrie, Owen Sound, Kitchener, St. Catharines, Windsor and Thunder Bay. This initiative ensures that landlords and tenants have access to consistent and predictable Board services across Ontario outside the regional offices. The transfer is consistent with the government's goal of developing a "one-stop shopping" model to access government programs and services through ServiceOntario.

### Boundary Changes

In the spring of 2009, the Board is making further adjustments to its structure by implementing some changes to its regional boundaries. These changes are brought forward to align the way the Board designates its regional boundaries with those established by the Ontario Public Service. These adjustments will not result in any changes to the staffing in Board offices, nor to any of its hearing locations. A list of the affected counties is set out in the following table:

| The County of ... | Previously in Region | Has moved to ... |
|---|---|---|
| Bruce | Central | Southwest |
| Grey | Central | Southwest |
| Dufferin | Central | Southern |
| Parry Sound | Central | Northern |
| Halton | Southern | Central |
| Kawartha Lakes | Toronto East | Eastern |
| Haliburton | Toronto East | Eastern |
| Peterborough | Toronto East | Eastern |
| Northumberland | Toronto East | Eastern |
| Hastings | Toronto East | Eastern |
| Prince Edward | Toronto East | Eastern |

# Customer Service
## Through the Call Centre

Section 177 of the RTA sets out the Board's mandate to provide information to landlords and tenants about their rights and obligations under the legislation. In fulfilling this mandate, the Board's virtual Call Centre handles customer inquiries, in both English and French, through toll free lines. In the Greater Toronto Area, the phone number is (416) 645-8080; outside Toronto the number is 1-888-332-3234. Customer service representatives are available during regular business hours. An automated telephone service answers frequently asked questions 24 hours a day, 7 days a week. This year, the Board responded to over 500,000 telephone calls.

Landlords and tenants can sometimes resolve their disputes once they have been informed about the law. Also, if a landlord or tenant has filed an application with us, they can inquire about the status of their case via the telephone.

# eGovernment

The Board's website, www.LTB.gov.on.ca, is visited more than one million times each month. All Board forms and brochures, the Rules of Practice, Interpretation Guidelines and the Board's complaint procedures are available on the website, in both English and French.

## Brochures

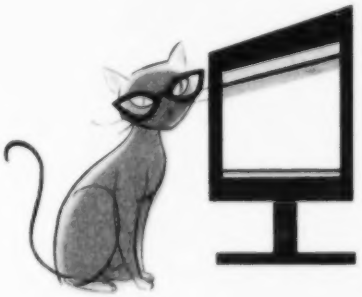
Also available on the website is a *Guide to the Residential Tenancies Act* in Arabic, Chinese, Farsi (Persian), Korean, Punjabi, Russian, Spanish, Tamil, Urdu and Vietnamese[3], as well as in English and French. Apart from this Guide, there are over 30 brochures posted on the website providing information on all major aspects of the RTA and the Board's services. Topics include the rent increase guideline, care homes, how to file an application, ending a tenancy, illegal lockouts, Board fees, information about a hearing and information for new tenants.

Clients can also find information on the website about the progress of their application, the date of their hearing and whether an order has been issued.

## Case Management System

Following an extensive period of development, testing and training during the fiscal year covered by this report, the Board will begin phasing in its new case management system, Cmore in Spring 2009. Work on Cmore placed a tremendous demand on the Board's administrative resources this past fiscal year and continues to remain a priority for Head Office staff as it is implemented.

Cmore is being rolled out gradually to minimize any disruption to service for clients and is expected to be fully implemented by mid-July 2009. Along with Cmore come changes to the Board's file numbers - two digits reflecting the year an application was filed will now appear at the end of the file number. Once Cmore is fully implemented the Board will begin work on eFiling which is expected to be implemented sometime late in 2010.



*The Cmore 'logo'*

[3] These are the ten most spoken languages, in addition to English and French, in Ontario according to 2001 Census data obtained from Statistics Canada.

# French Language

The Board provides service to the public in both official languages in accordance with the *French Language Services Act* (the FLSA). All offices in areas designated by the FLSA have bilingual staff available to assist French-speaking clients. The Board's policy concerning the provision of French language services is set out in its Rules of Practice.

## Services at Board Hearings

Where a party is entitled to and has requested French language service, the Board attempts to schedule a French-speaking Member to hear the case. Where this is not possible within a reasonable period of time, the Board will schedule the matter before an English-speaking Member and will ensure that an interpreter is present.

About 10% of Board Members can conduct hearings in French, and 8% of its Mediators can provide mediation service in French. Less than 0.5% of Board hearings were conducted in French over the past fiscal year.

All correspondence and decisions of the Board are provided in French to a party who has requested and is entitled to French language services.

*Rideau Canal, Ottawa Ontario*

# BUDGET AND REVENUES

The following table shows the Expenditures and Revenues of the LTB (and its predecessor, the Ontario Rental Housing Tribunal) for the 2008-09 and previous two fiscal years.

| | 2006-07* ($) | 2007-08* ($) | 2008-09 ** ($) |
|---|---|---|---|
| **Expenditure** | | | |
| Salaries | 15,440,770.00 | 16,930,722.00 | 16,302,172.00 |
| Benefits | 2,303,653.00 | 2,406,678.00 | 2,460,798.00 |
| Travel & Communications | 1,625,171.00 | 1,523,562.00 | 1,278,264.00 |
| Services | 8,167,452.00 | 5,525,919.00 | 8,010,036.00 |
| Supplies & Equipment | 840,758.00 | 499,692.00 | 395,243.00 |
| **Total** | **28,377,804.00** | **26,886,573.00** | **28,446,513.00** |
| **Revenue** | **10,266,175.00** | **10,430,094.00** | **10,892,563.00** |

*Source of Data: Public Accounts

**Fiscal 2008-09: Draft pending publication.

***Note:***

*The Public Accounts reflect consolidated numbers for the LTB and IEU (the Investigations and Enforcement Unit of the Ministry of Municipal Affairs and Housing). Accordingly, to arrive at LTB numbers, Public Account numbers have been adjusted to remove IEU numbers. The Public Accounts also include office lease costs that were not included in the numbers reported in the 2006-07 and 2007-08 annual reports.*

## Administrative Review

In late 2007, at the request of the Deputy Minister, the consulting group KPMG conducted an Administrative Review of the Board. The emphasis of the Review was on management processes, structure, governance and accountabilities in order to identify long-term efficiencies and opportunities for savings.

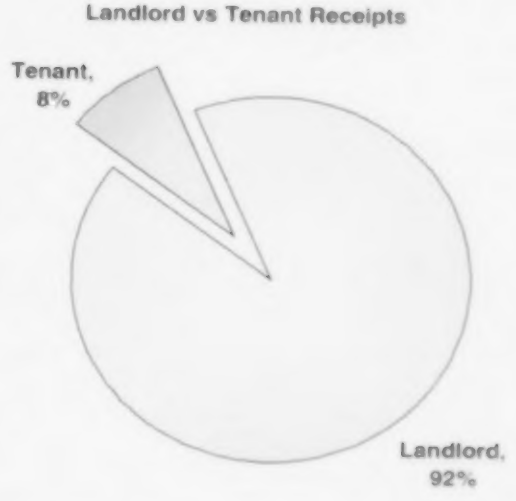
Phase 1 of the Administrative Review was successfully implemented October 1, 2008 and has already achieved some efficiencies and savings. In Phase 1, the Board transferred the responsibility for providing its services from its counters in nine locations (in Thunder Bay, Barrie, Kitchener, Windsor, Owen Sound, St. Catharines, Whitby, Peterborough and Kingston) to ServiceOntario. It also clarified its internal management systems to facilitate operational efficiency.

# STATISTICAL INFORMATION

## Landlord vs Tenant Receipts

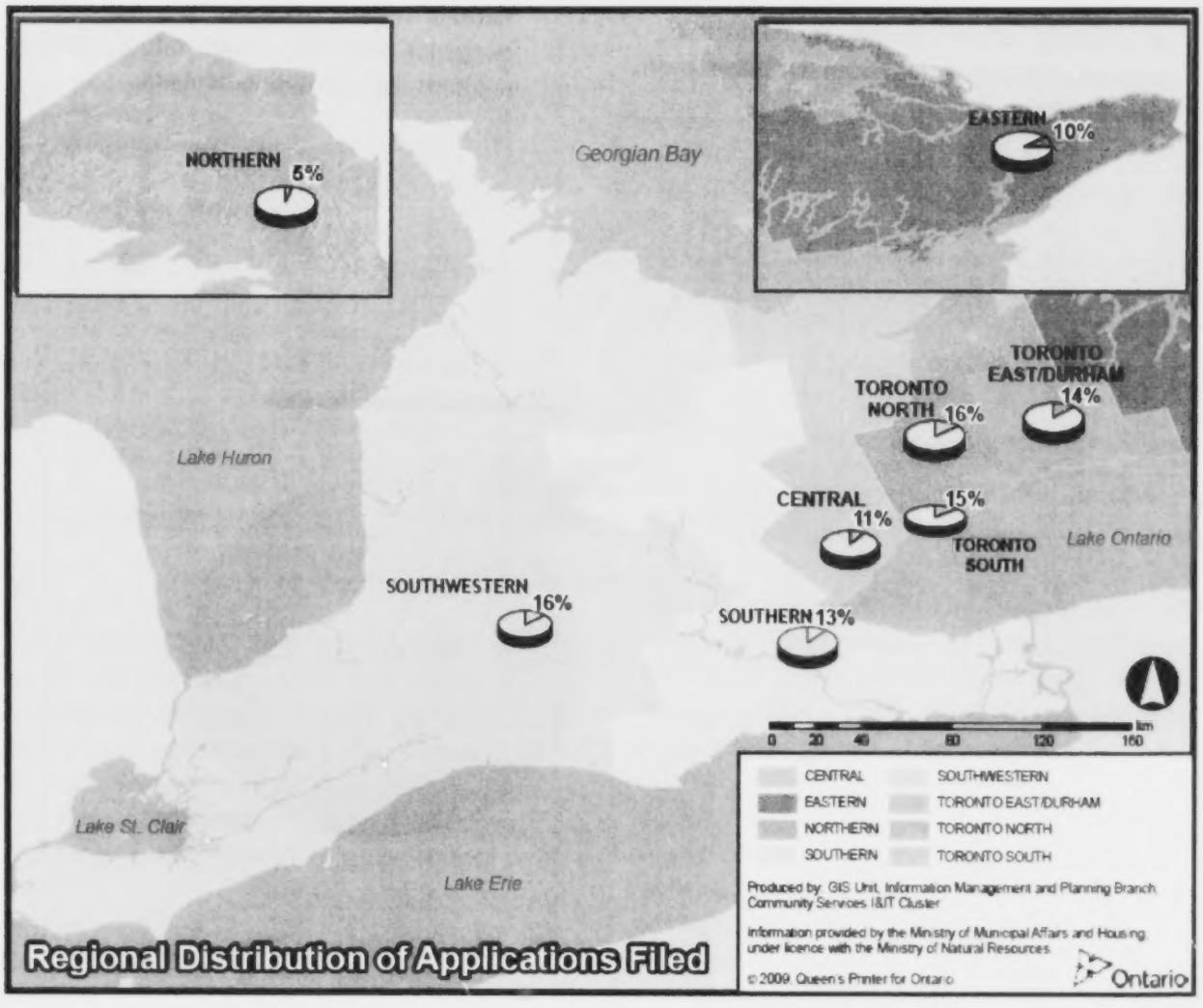
From April 1, 2008 to March 31, 2009, the Board received 85,840 applications filed under the RTA. This represents a substantial increase of 5,288 more applications over last year's workload, approximately 6.5%. The increase may be attributable, at least in part, to the difficult economic climate experienced by Ontarians in the past year.

The distribution of application receipts has remained relatively constant since 1998 when the resolution of landlord-tenant disputes was transferred from the provincial court system to the Board's predecessor, the Ontario Rental Housing Tribunal. This past year was no exception, with 92% of applications filed by landlords and 8% filed by tenants.



# STATISTICAL INFORMATION

**Regional Distribution of Applications**
The regional distribution of applications filed with the Board is as follows:



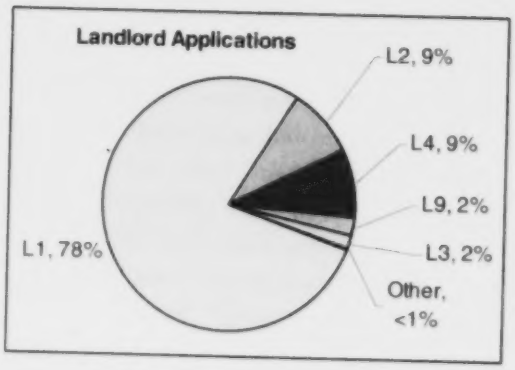
# STATISTICAL INFORMATION

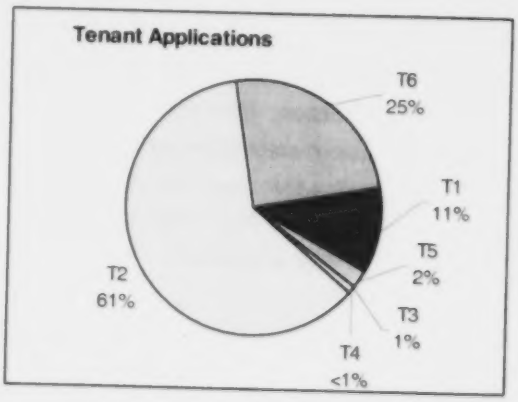
## Applications By Type

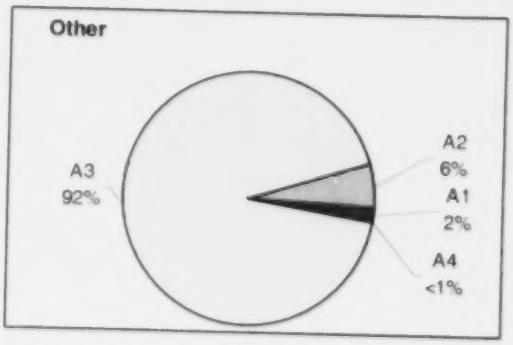
Termination of tenancy and eviction applications continue to represent the bulk of the Board's workload. Of the total applications received by the Board, 68.8% were for termination of tenancy because of arrears of rent.

The following charts show the distribution of the Board's workload, by type of application for the 2008-2009 fiscal year.

| Case Type | Application description | # of Cases |
|---|---|---|
| L1 | Terminate & Evict for Non-Payment of Rent | 59,053 |
| L2 | Terminate for Other Reasons & Evict | 6,535 |
| L4 | Terminate the Tenancy: Failed Settlement | 6,510 |
| A3 | Combined Application | 4,255 |
| T2 | Tenant Rights | 3,632 |
| L9 | Application to Collect Rent | 1,692 |
| T6 | Maintenance | 1,462 |
| L3 | Termination Tenant Gave Notice or Agreed | 1,263 |
| T1 | Rent Rebate (e.g. illegal rent) | 654 |
| A2 | Sublet or Assignment | 254 |
| L5 | Rent Increase Above the Guideline | 228 |
| T5 | Bad Faith Notice of Termination | 129 |
| A1 | Determine Whether the Act Applies | 89 |
| T3 | Rent Reduction | 47 |
| A4 | Vary Rent Reduction Amount | 5 |
| L8 | Tenant Changed Locks | 20 |
| L6 | Review of Provincial Work Order | 10 |
| L7 | Transfer Tenant to Care Home | 1 |
| T4 | Failed Rent Increase Above Guideline | 1 |
| | Total | 85,840 |



# STATISTICAL INFORMATION

### Applications by Type (TPA)

During the 2008-2009 fiscal year, in addition to its RTA workload, the Board continued to resolve applications that had been filed under the *Tenant Protection Act, 1997* (the TPA), but remained unresolved on January 31, 2007 when the RTA was proclaimed. The TPA was the legislation in effect prior to the implementation of the RTA on January 31, 2007.

### Pending TPA Applications

At the beginning of this fiscal year, 125 TPA applications were still active. Between April 1, 2008 and March 31, 2009, the Board resolved 73 of those applications, leaving 66 TPA applications awaiting resolution. (The number of unresolved TPA applications may increase slightly as a party to a TPA application may, for example, still file a request to review a TPA order and this would be added to the TPA workload.)

### Transitional Rules

Applications filed under the TPA continue to be resolved pursuant to the TPA, but with regard to certain transitional rules brought in by the RTA. For example, the Board cannot issue a default order on a TPA application if it was not resolved by January 31, 2007. Also, a Member hearing a TPA eviction application is now *required* to review all the circumstances of the application under section 83 of the RTA and to always consider delaying or refusing to grant a tenant's eviction. This is different from the *discretionary* provision that existed under a similar provision (section 84) in the TPA.

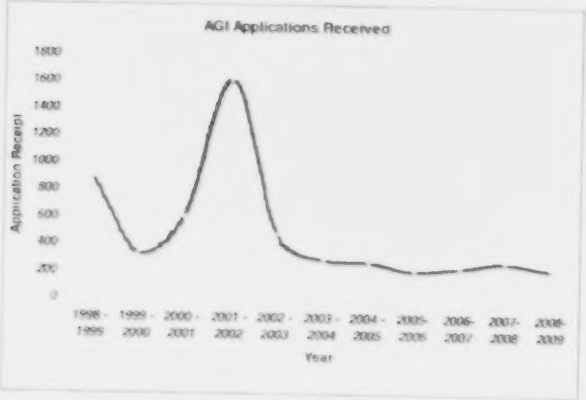
The following table shows the distribution of the TPA applications resolved this past year:

| Case type | Application description | # of Cases |
|---|---|---|
| L1 | Terminate & Evict for Non-Payment of Rent | 22 |
| T2 | Tenant Rights | 13 |
| A3 | Combined Application (L or T) | 20 |
| L5 | Rent Increase above the Guideline | 3 |
| L2 | Terminate & Evict for other reasons | 10 |
| T6 | Maintenance | 2 |
| L4 | Terminate the Tenancy: Failed Settlement | 1 |
| A2 | Sublet or Assignment | 2 |
| | Total | 73 |

# STATISTICAL INFORMATION

**Above Guideline Rent Increase Applications**
As the following table demonstrates, the number of applications for rent increase above the guideline has been decreasing since 2001. This past year also showed a decrease over last year, with 228 applications of this type received by the Board, compared to 274 for the 2007-2008 fiscal year.

While the number of above guideline rent increase applications (AGIs) make up less than 1% of all applications received at the Board, these applications account for a relatively significant amount of preparation and hearing time for the Board's staff and Members. The Board continues to rely on mediation to help manage the workload for these applications.




**Amended Applications Form (L5)**
The Form L5 used by landlords to make this type of application to the Board was amended in November 2008, requiring landlords to provide the "useful life" of each capital expenditure item claimed, in order to facilitate the mediation of these applications. The amended form also required landlords to provide the file number for any previous AGI order to eliminate the possibility of double-counting, where a landlord previously applied for and obtained a rent increase for a particular item.

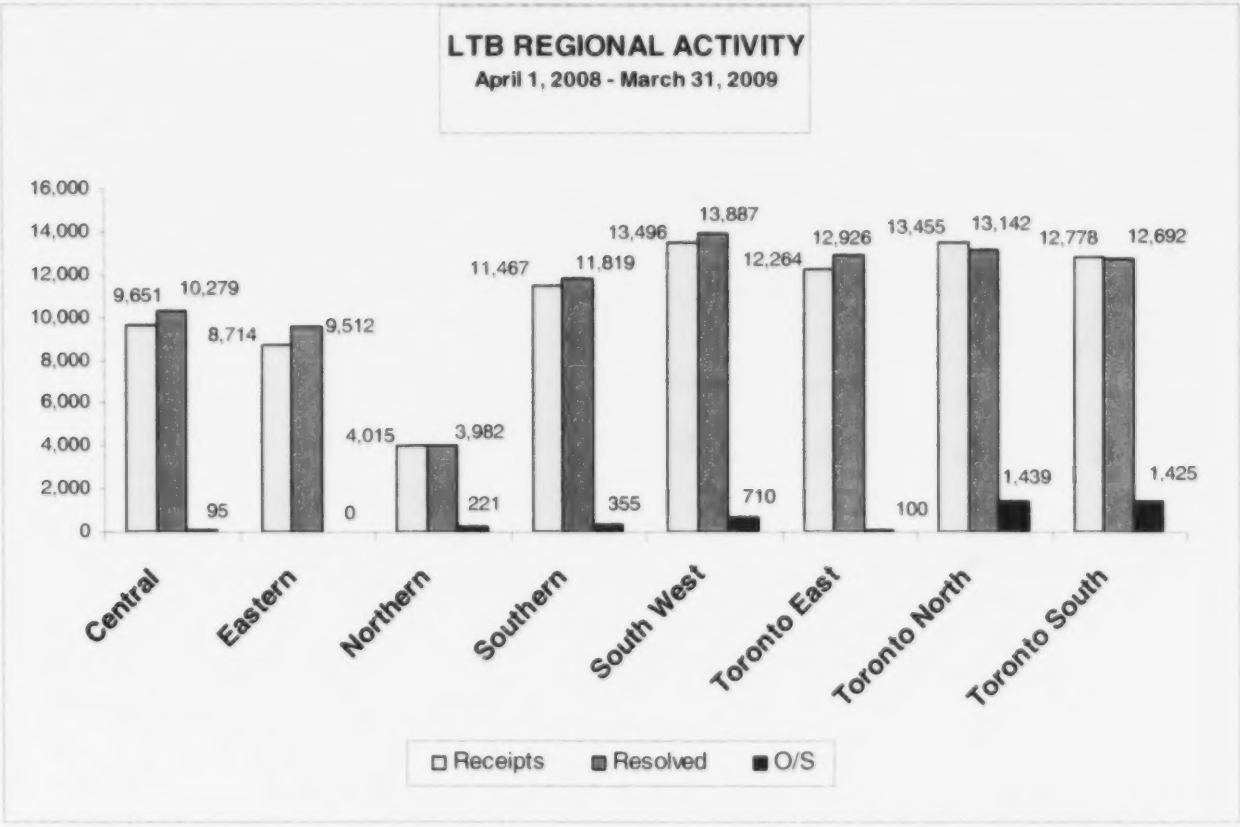
# STATISTICAL INFORMATION

### Application Resolution

Over the past year, the Board has continued to resolve applications without creating a backlog, despite the challenge of an increased workload. The Board has maintained only one month's receipts as open files. Most orders are issued within 20 days of the receipt of the application and even more complex orders are usually issued within 30 days. This year, 4,074 RTA applications remained unresolved as of March 31, 2009. This number represents less than one month's average work at the Board.

For the fiscal year 2008-2009, the Board received a total of 85,840 applications and resolved 88,239 applications. Some applications may generate more than one resolution because of the re-opening and review processes.

The following chart shows how application receipts and resolutions have remained relatively constant during the year.



# Statistical Information

### Reviews and Appeals

A party to an application may ask for a review of a Board order if they believe that the order contains a serious error or that a serious error occurred in the proceedings, including where a party was not reasonably able to participate in the proceeding. The authority for requesting a review comes from section 21.2 of the Statutory Powers Procedure Act (the SPPA), subsection 209(2) of the RTA, and Rule 29 of the Board's Rules of Practice. The Rules also allow a Vice Chair of the Board to initiate a review.

### The Review Process

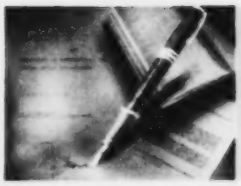
A review of a Board order is decided by a Member other than the Member who heard the application and issued the order. Upon receipt of a review request, a Member conducts a preliminary review, without holding a hearing, to determine whether or not the order may contain a serious error or a serious error may have occurred in the proceedings. Where the Member determines that there is a possibility of a serious error affecting the result of the case, a review hearing will be held. Otherwise, the Member will dismiss the request for review.

Over the 2008-2009 fiscal year, the Board received 1,759 requests for review, of which approximately 65% were sent to a hearing. Please note that, in its 2007-2008 annual report, the Board incorrectly reported the number of requests for review received as 668; the correct number of requests received for that period was approximately 1,410.

### Appeal to Divisional Court

Section 210 of the RTA also provides that any person affected by a Board order may appeal the order to the Divisional Court within 30 days after being given the order, but only on a question of law.

Over the 2008-2009 fiscal year, 161 Notices of Appeal of Board orders were received by the Board.



# DECISION SUMMARIES

**CEL-11709**

*- s. 27 - entry into rental unit with notice - s. 35 - changing locks - s. 64 - termination for cause, reasonable enjoyment*

The Landlord had given the Tenant notice that the Landlord intended to enter into the Tenant's rental unit between the hours of 11 a.m. and 8 p.m. to inspect the rental unit to determine if it was in a good state of repair and fit for habitation. The Tenant refused entry to the Landlord. The Landlord also claimed that the Tenant had installed a form of pad lock on a chain which, in an emergency, would block the Landlord from having access to the rental unit. The Landlord did not have a key to the pad lock and had not authorized its use by the Tenant.

The Member dismissed the application relating to the issue of entry into the rental unit on the basis that the notice of entry did not comply with subsection 27 (3) of the RTA as it did not specify a time of entry within the twelve hour window (8 a.m. to 8 p.m.) set out in that provision of the RTA. The Member found that the Landlord did not have to be as specific as to set out the exact hour and minute of entry, but that a nine hour period does not comply with the RTA.

The Member found that the intent of section 35 of the Act is to ensure that a landlord has access to a rental unit in an emergency and ordered the Tenant to provide the Landlord with a key to the door and locking mechanism.

**CEL-11712**

- s 18 - covenants running with the land - s. 105 - security deposits, limitation - s. 106 (2) - amount of rent deposit - Mortgages Act s. 47 - person deemed to be landlord

Pursuant to the *Mortgages Act* a mortgagee in possession is deemed to be the Landlord. The Tenant had voluntarily prepaid rent to the prior Landlord. The tenancy agreement between the Tenant and the prior Landlord did not contain a term providing for prepaid rent in an amount greater than one month's rent. The prepayment of rent occurred after the tenancy agreement had been entered into between the prior Landlord and the Tenant.

The Member, in allowing the current Landlord's application for arrears of rent and termination, found that the lease did not provide for the Tenant to prepay rent for a particular period and, therefore, the prepayment of rent was not a covenant intended to run with the land. The Member noted that in *Royal Bank of Canada v. Boutis*, the court characterized prepayment of rent as security deposits and, that "... the requirements of the Act dealing with such security deposits prevail over any agreement to the contrary between the parties." The Member concluded, "Clearly, the amount paid by the Tenant to the Prior Landlord is not in accordance with the Act and therefore, not legal ... As such, the Tenant is not entitled to a credit for the funds prepaid to the Prior Landlord and the Landlord is not responsible to make the Tenant's circumstances right."

## SOL-12512

- s. 59 - non-payment of rent - law of agency - superintendent having apparent authority to bind the landlord

During a hearing, the Tenant disputed the amount of monthly rent being claimed by the Landlord. In February 2007, the Tenant had received a notice that raised the rent to $846.00 per month. The superintendent of the residential complex, however, advised the Tenant that the Tenant was required to pay only the rent in effect prior to the increase, that is, $825.00 per month. Another year passed and in 2008, the Landlord gave another rent increase notice raising the rent to $867.00 and the Tenant then paid $846.00 per month following that notice.

The Member found that the Tenant reasonably relied upon the superintendent's apparent authority as an agent for the Landlord to bind the Landlord and to permit the Tenant to pay the lower rent of $825.00 for the year 2007-08 and the increase of the rent in February, 2008 was found to be the guideline amount (1.4%) applied to the $825.00 per month rent ($836.55 per month).

## SOL-14390

- clause 63 (1) (b) - termination for cause - shorter notice period - use of rental unit in a manner that is inconsistent with its use as a residential premises - significant damage

The Landlord sought termination of the tenancy and eviction on the basis that the Tenant parked his motorcycle in the rental unit, kept live chickens at the rental unit and modified the shed on the property to house live chickens. The Tenant agreed that he had three live chickens on the property that he kept in the shed and that he removed a brick from the shed to provide access to his chickens. The Tenant acknowledged that he once had a young chicken inside the rental unit but that chicken had died and submitted that the alleged motorcycle was, in fact, an electric bike that he kept in the rental unit because of his concerns about theft.

The Member, in dismissing the application, found that, to succeed in an application based on clause 63 (1)(b) of the RTA, the Landlord was required to prove (i) that the use of the rental unit was inconsistent with its use as residential premises, (ii) that the inconsistent use can be reasonably expected to cause damage or has caused damage and, (iii) that the amount of the damage is significantly greater than the amount that would be required to give the Tenant a Notice to Terminate the tenancy for damage under subsection 62 (1) or clause 63 (1)(a) of the RTA. In this case, the Member found that the damage occasioned by the removal of a brick in the shed did not meet the third part of the test and the inconsistent use of the rental unit relating to the storage of the motorcycle or electric bike did not occasion damage.

**SWL-13073**

- s. 6 (2) - exemptions - rules relating to rent - s. 87 - application for an order for payment of arrears- s. 116 - notice of rent increase

The Landlord gave the Tenant a Notice of Rent Increase in 2007. The Tenant submitted that she was not required to pay the increased rent as, in 1996, the Landlord's property manager had given the Tenant a letter that purported to provide that as long as the Tenant remained in the rental unit, the rent for that unit would remain at the 1996 amount.

The Member relied upon and applied the Divisional Court's decision in *Barber v. 1086891 Ontario Inc.*, and found that the Landlord was not estopped from increasing the rent despite the letter indicating otherwise.

The Member also found that, in accordance with clause 6 (2) (c) of the RTA, as the rental unit was part of a building that was constructed in 1994, and, therefore not occupied for residential purposes prior to November 1, 1991, the rent for the rental unit was not subject to guideline increases, and the Landlord was entitled to impose a greater than guideline increase.

**SWL-16920**

- s. 78 - application based on mediated settlement - order terminating tenancy - motion to set aside order - s. 69.3, Bankruptcy and Insolvency Act (Canada) - automatic stay of proceedings

The Landlords had filed an application with the Board seeking termination of the tenancy and eviction on the basis of arrears of rent. The application was filed two weeks before the Tenant filed an assignment in bankruptcy and was scheduled to be heard one day after the filing of that assignment. On the hearing date, the Landlord and Tenant entered into a mediated settlement that encompassed the period of three months before the assignment into bankruptcy and one month after it and provided for payment of the arrears. Four weeks after the date of the mediated settlement, the Landlords filed a proof of claim in the bankruptcy. Later, the Landlords, pursuant to section 78 of the RTA, obtained an *ex parte* order for arrears and for termination and eviction from the Board which the Tenant moved to set aside.

The issue before the Board on the return of the Tenant's motion was whether the Board had the jurisdiction to make the order terminating the tenancy and evicting the Tenant.

In setting aside the order the Landlord's had obtained *ex parte*, the Member considered and applied the Divisional Court's decisions in *Forestwood Co-operative Homes Inc. v. Pritz* and in *Peel Housing Corporation v. Siewnarine*, and found that the case before her was consistent with *Forestwood* insofar as the Landlords had applied for both arrears and termination of the tenancy in the same application to the Board and the termination and arrears were inextricably linked and formed part of a claim provable in bankruptcy. The Member found that all amounts claimed in the Landlord's original application before the Board were stayed by virtue of the bankruptcy and that any new arrears that may have arisen subsequent to the period provided for in the mediated settlement could possibly be sought by the Landlords in a new proceeding. The Member, therefore, dismissed the Landlord's application for an order of the Board terminating the tenancy and evicting the tenant.

**SWL-21457**

- s. 126 - application for above guideline increase - s. 129 - capital expenditures - Ontario Regulation 516/06 - Schedule - Useful Life of Work Done or Thing Purchased

The Landlord applied for an order permitting an above guideline increase. The Member found that the Landlord had justified an above guideline increase because of capital expenditures in relation to window replacement and renovations in the common areas of the buildings.

Single pane-windows which had outlived their useful life were replaced with double-glazed aluminium windows in all the rental units. The Member found that the window replacement was an eligible capital expenditure.

The Landlord made a number of common area renovations to the main lobby, hallways, the laundry room and elevators, including, replacement of the flooring, change of the lighting, merging a cleaning supply room and old mail room to create a social room for the Tenants, replacement of carpeting in the corridors and replacement of the flooring and interior skin in the elevators. The Tenants contended that the common area renovation work was substantially cosmetic in nature, designed to enhance the level of prestige or luxury in the building and did not meet the definition of "capital expenditure" in s. 18 (1) of O. Reg. 516/06. The Tenants particularly contested the eligibility of the expenditure related to the social room.

The Member found that the Landlord did not establish, on a balance of probabilities, that the social room met any of the eligibility tests in s. 126 (7) of the RTA or any of the exceptions in s. 126 (8) of the RTA. The Member severed the expense for the social room from the balance of the Landlord's claim. The Member allowed the balance of the claim relating to the common area expenses and found that, although there is a cosmetic aspect to any new installation, the renovations were not substantially cosmetic in this case.

The Member also found that the RTA does not permit the Board to consider the potential tax deductions the Landlord may be able to take for capital expenditures that are incurred and also found that the ordinary guideline increase is designed to take into account increases in a landlord's building maintenance and operating costs, but not extraordinary expenses such as eligible capital expenditures.

**TEL-09609**

- s. 61 - termination for cause, illegal act - s. 83 - powers of Board, eviction - Human Rights Code (Ontario) s. 17 - duty to accommodate

A tenant who lived in a residential complex that adjoined the Tenant's residential complex had been unable to park her car in the parking lot as a result of the Tenant having positioned his car in a manner that blocked the neighbouring tenant. The Tenant, in response to the neighbouring tenant's attempt to cause the Tenant to move his car, assaulted his neighbour and, in doing so, caused minor injuries to her. The Tenant was charged with and pleaded guilty to assault.

Prior to the incident in question, the Tenant lived in another property controlled by the same Landlord. While a tenant at the other property, the Tenant had been arrested and charged with making threats, criminal harassment and mischief relating to another tenant. As a result of that arrest, the Tenant had been required to stay at least 100 meters away from the victim tenant. In order to permit the Tenant to

comply with the Court's order, the Landlord moved the Tenant to the Tenant's current rental unit in August 2007.

There was evidence that the Tenant's criminal conduct was linked to his mental illness. The parties agreed that the Tenant had a disability within the meaning of the Human Rights Code.

The Member applied the Divisional Court's decision in *Walmer Developments v. Wolch* in determining whether to exercise the Member's discretion to grant relief from eviction. The Member found that the Landlord had accommodated the Tenant's disability to the point of undue hardship, and found that there was a real possibility that the Tenant may engage in further illegal activity if the Tenant were to remain in the rental unit. Accordingly, the Member did not give the Tenant relief from eviction, but delayed the eviction to give the tenant more time to secure appropriate alternative accommodation where he could have regular access to support services.

**TNL-09252-RV**

- s. 209 (2) RTA; s. 21.2 Statutory Powers Procedure Act - review - Rule 29 - Guideline 8

On an application by the Landlord, the Board had terminated the tenancy of the Tenant. The Tenant filed a request to review the Board's order, and, in that review request filed a four-page letter, new documents that had not been filed at the original hearing and raised a number of other objections.

The Member, in dismissing the review request, set out the Board's review process with particular reference to the fact that only an issue deemed on its face to raise a potentially serious error in the original order or proceedings will be referred to a review hearing.

The Member found that it is not sufficient for a party requesting a review to simply file new documents and expect the Board to determine that the new documents reveal some error in the decision. The Member found that, particularly given that the review consideration proceeds initially on an *ex parte* basis, unless the party who filed the new documents on the review provides evidence as to why the Board should even consider the new documents at the review stage, it is improper for the Board to review those documents.

The Member found that, in addition to the issue of the documents filed with the review request, the Tenant did not provide particulars of the errors in the original proceedings that the Tenant alleged.

**TST-00935-RV**

- s. 13 (2) - commencement of tenancy - actual entry not required - s. 107 - rent deposit - prospective tenant - s. 135 - money collected or retained illegally

On October 1, 2007, the Tenant paid a rent deposit of $750.00 and signed an application form for a rental unit with the tenancy commencing on November 1, 2007. The application form contained a provision that read, "the landlord's acceptance of the deposit does not constitute a tenancy agreement". On October 25, 2007, the prospective Tenant advised the Landlord's employee that he did not wish to move into the rental unit and requested the return of the deposit. The Landlord did not return the rent deposit and re-rented the unit for December 1, 2007. The Tenant applied to the Board to seek return of the rent deposit.

The Member found that the applicant was not a Tenant for the purposes of the RTA and therefore the Board had no jurisdiction to deal with the matter. The Tenant filed a request to review that decision. The Reviewing Member found that the initial decision contained an error of law, in view of section 135 and subsection 107(1) of the RTA.

The Reviewing Member found that, when the prospective Tenant paid the deposit and signed the application form, the prospective Tenant intended to be bound and that a tenancy agreement arose on the Landlord's acceptance of the application form and the deposit. The Reviewing Member considered, applied and distinguished the Divisional Court's decision in *Benedetto v. Dineen*.

In *Benedetto v. Dineen*, the Landlord had obtained a rent deposit from prospective tenants, advised the prospective Tenants that the rent deposit was non-refundable and demanded that they obtain a guarantor. The prospective Tenants were unable to obtain a guarantor and no lease was signed. The prospective Tenants asked for a refund of their rent deposit and the Landlord refused to refund that deposit.

The Ontario Rental Housing Tribunal found that section 118.1 of the TPA (section 107 of the RTA) applied in these circumstances and since vacant possession of the rental unit was not given to the prospective Tenants, the rent deposit had to be refunded. The Tribunal also found that the Landlord's assertion that the deposit was non-refundable was wrong by virtue of section 16 of the TPA (s. 4 of the RTA) insofar as a provision in a tenancy agreement that was inconsistent with the TPA was void. The Landlord appealed to the Divisional Court and argued that the Tribunal's interpretation of section 118.1 of the TPA was incorrect as the Landlord was willing and able to give vacant possession of the rental unit, but the prospective Tenants refused to accept his offer. The Divisional Court dismissed the Landlord's appeal and held that the Tribunal's decision was correct.

The Reviewing Member, in dismissing the prospective Tenant's application, found that, in this case, unlike the case in *Benedetto*, the prospective Tenant clearly entered into a binding tenancy agreement with the Landlord. The Member applied subsection 13 (2) of the RTA that provides that a tenancy agreement takes effect when the tenant is entitled to occupy the rental unit whether or not the tenant actually occupies it. The Member found that the tenancy existed for the month of November 2007 and the deposit was applied by the Landlord for the last month of the tenancy, that is, November 2007.

## TST-01514

- s. 2 - interpretation, "landlord" - s. 57- former tenant's application where notice given in bad faith - s. 187 (2) - add or remove parties

The Tenant had resided at the rental unit for nearly 25 years and had a good relationship with "Landlord 1" who operated a business on the main floor below the rental unit. The Tenant vacated the unit after having received a second Notice of Termination from Landlord 1 for the purchaser's (Landlord 2) own use.

The Tenant claimed that he became aware that no one had moved into the rental unit within a reasonable period after he had moved.

Landlord 1 testified that he relied on the real estate agent retained by both Landlords 1 and 2 who had told Landlord 1 that Landlord 2 required vacant possession of the entire building and that Landlord 2 intended to live in the rental unit.

Although Landlord 2 did not want to be a party to the former Tenant's application, the Member found that it was appropriate that Landlord 2 be added as a party as the definition of "Landlord" in section 2 of the RTA includes successors in title.

Landlord 2 testified that she had not told the real estate agent that she required vacant possession of the rental unit and that she had no contact with Landlord 1 throughout the purchase and sale of the property.

The Member, in applying clause 57 (1)(b) of the RTA found that Landlord 1 relied on the agent's assurances about the intention of Landlord 2 to occupy the rental unit, and also found that Landlord 2 had never indicated that she intended to occupy the rental unit. The Member found that "bad faith" is "not "simply bad judgment or negligence, but rather it implies the conscious doing of a wrong because of a dishonest purpose..." and further found that the fact that Landlord 2 did not move in did not, on its own, demonstrate bad faith.

The Member dismissed the former Tenant's application. The Member found that, if anyone was at fault, it was the real estate agent, and, that neither Landlord 1 nor Landlord 2 had acted in bad faith.

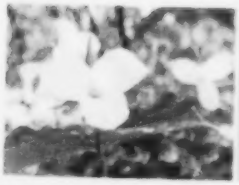
**TSL-16589**

- s. 66 - termination for cause, act impairs safety s. 78 - application based on previous order - s.83 - power of Board, eviction - Human Rights Code - s. 10 - disability - s. 17 - duty to accommodate

The residential complex housed persons who have mental illnesses. The Tenant, who had a disability because of mental illness, had assaulted other tenants in the residential complex.

The Member found that the Tenant's conduct seriously impaired the safety of other tenants in the residential complex. The Member found, however, that there had been no further incidents for two months prior to the hearing, the assaults were at the lower end of the spectrum, the Tenant was remorseful and, to the date of the hearing, the Landlord's attempts at accommodation within the meaning of the Human Rights Code were minimal.

The Member found that the Tenant's actions resulted from the Tenant's disability. Having considered the Landlord's duty to accommodate to the point of undue hardship, the Member issued a conditional order continuing the tenancy and requiring the Tenant to refrain from assaulting anyone in the residential complex for twelve months. In the event of a future assault by the Tenant within the twelve month period from the date of the order, the Landlord could apply to the Board under section 78 of the RTA for termination and eviction.



# BIOGRAPHIES

## CHAIR

Dr. Lilian Ma, B.Sc., Ph.D., LL.B.

*Tenure: 01-JUN-2005 - 31-MAY-2013*

Dr. Lilian Ma joined the ORHT[4]/LTB as the Chair and CEO in June 2005. She has extensive experience in the public sector and was a Member of the Refugee Protection Division of the Immigration and Refugee Board of Canada, the Liquor Licence Board of Ontario, the Ontario Human Rights Commission and the Drug Quality and Therapeutics Committee in Ontario. She also worked as Chief of the Public Education Division of the Race Relations Directorate of Multiculturalism Canada.

Dr. Ma earned a law degree from the University of Toronto, a Doctorate in chemistry from Simon Fraser University, and a Bachelor of Science degree from the University of Hong Kong.

Dr. Ma is a member of the Law Society of Upper Canada and the Canadian Bar Association and sat on the Bar Association's Racial Equality Implementation Committee from 2000 to 2004. She sits on the Board of Directors of the Canadian Council of Administrative Tribunals and the Society of Ontario Adjudicators and Regulators. Prior to joining full-time public service, she was an active volunteer in the community and sat on a number of boards.

[4] The Ontario Rental Housing Tribunal became the Landlord and Tenant Board on January 31, 2007 with the proclamation of the *Residential Tenancies Act, 2006*.

## VICE CHAIRS

### Kim Bugby

*Tenure: 08-SEP-2004 - 27-NOV-2009*

Kim Bugby graduated from the University of Western Ontario with a Bachelor of Arts in psychology as well as from Loyalist College with a Diploma in Developmental Services. Ms. Bugby has extensive experience in community and social services for children, youth and adults including social assistance, housing, education and rehabilitative case management. Ms. Bugby was also a Community Support Coordinator, providing services to persons diagnosed with a serious mental illness. Ms. Bugby joined the ORHT/LTB as a Member on September 6, 2004 and was appointed as Vice Chair on May 28, 2008.

### Eli Fellman

*Tenure: 15-DEC-2004 - 14-DEC-2013*

Eli Fellman has an Honours degree in Political Science from Trent University, pursued graduate studies at Carleton University and attained a Bachelor of Laws degree at the University of Ottawa. Prior to his appointment to the ORHT/LTB as a Member, he was a policy analyst at the federal Department of International Trade in Ottawa. Subsequent to his call to the Ontario bar in 2002, he practiced international trade and customs law in Toronto. Mr. Fellman joined the ORHT/LTB as a Member on December 15, 2004 and was appointed Vice Chair on December 15, 2005.

### Régent Gagnon

*Tenure: 05-JUL-2004 - 31-AUG-2013*

Régent Gagnon graduated from Le Moyne College in Syracuse, N.Y. with a Bachelor of Science in Humanities. He worked in public and private sector organizations in all facets of Human Resources Management and then he founded his own HR consulting firm. As a recognized expert in HR, Mr. Gagnon was invited to teach HR courses at Carleton and Ryerson Universities. Prior to his appointment to the ORHT/LTB, Mr. Gagnon served as a part-time member of the Assessment Review Board for six years. In addition, he was a member of the Planning Advisory Committee for Clarence Township and of the Board of Directors of the Ottawa Personnel Association and the Big Sisters of Ottawa-Carleton. Mr. Gagnon joined the ORHT/LTB as a Member on July 5, 2004 and was appointed Vice Chair on September 1, 2005.

### Murray Wm. Graham

*Tenure: 17-JUN-1998 - 15-JUN-2012*

Murray Wm. Graham graduated from York University with a Bachelor of Arts degree and from Osgoode Hall Law School with a Bachelor of Laws degree. After his call to the Ontario Bar, he practised law in the City of Toronto. From 1990 to 1998, Mr. Graham was a legal and administrative consultant to corporations in the transportation, waste management and environmental research and development industries. Mr. Graham joined the ORHT/LTB in 1998 as a Member and was appointed Vice Chair on December 7, 2005.

## Sean Henry

*Tenure: 31-MAR-2004 - 12-DEC-2011*

Sean Henry graduated from the University of Toronto with a Bachelor of Arts degree, from York University with a Masters in Business Administration and from Queen's University with a Bachelor of Laws degree. Mr. Henry carried on a criminal and family law practice before becoming a member with the Social Benefits Tribunal. He then worked as a senior policy analyst with the OMERS Pension Plan and after that as a policy advisor of the Ministry of Municipal Affairs and Housing. Mr. Henry joined the ORHT/LTB on March 31, 2004 as a Member and was appointed Vice Chair on December 13, 2006.

## Guy Savoie

*Tenure: 16-MAY-2001 - 06-APR-2012*

Guy Savoie has held numerous senior management positions within both the financial and business sectors for the past 17 years. Since 1990, he is also a Professor at Seneca College teaching a diverse business subject portfolio within the undergraduate and post-diploma business and marketing programs. Mr. Savoie joined the ORHT/LTB on May 16, 2001 as a Member and was appointed Vice Chair on March 24, 2004.

## Jonelle van Delft

*Tenure: 12-NOV-2004 - 12-JUN-2012*

Jonelle van Delft graduated from Queen's University with an Honours degree in history, a Special Field Concentration in women's studies and a Bachelor of Laws degree. Before her appointment to the ORHT/LTB, she practiced Clinic Law under the Ontario Legal Aid Plan. Ms. van Delft joined the ORHT/LTB as a Member on November 12, 2004 and was appointed Vice Chair on June 13, 2007.

## MEMBERS

### Elizabeth Beckett

*Tenure: 07-FEB-2001 - 06-APR-2012*

Elizabeth Beckett, a graduate of Osgoode Hall Law School, has spent much of her professional life in the teaching profession. Prior to taking up her position at the ORHT/LTB she was a part-time professor of Law at Sheridan College and taught Business Law for Canadian General Accountants. She brings with her experience gained as a Member of the Boards of Inquiry for the Human Rights Commission. Ms. Beckett was an ORHT/LTB Vice Chair from April 7, 2004 to April 6, 2007; on April 7, 2007 she resumed her position as a Member of the LTB.

### Joseph A. Berkovits

*Tenure: 22-JUN-2005 - 21-JUL-2009*

Joseph Berkovits graduated from York University with a Bachelor of Arts (Honours) degree in history and English, and a Masters and Doctorate in history from the University of Toronto. He received a law degree from the University of Toronto, articled at the Ontario Ministry of the Attorney General and in 2004 was called to the Ontario Bar.

### Louis Bourgon

*Tenure: 13-DEC-2006 - 12-DEC-2011*

Louis Bourgon graduated from the University of Ottawa with a Bachelor of Arts and a Bachelor of Laws. He was called to the Ontario bar in 1998. Mr. Bourgon also holds a certificate in Alternative Dispute Resolution from the University of Windsor, Faculty of Law. Before his appointment to the ORHT/LTB, he worked for seven years as legal counsel in the Law Society of Upper Canada's Professional Regulation Division. He also previously served as legal counsel to the Children's Aid Society of Ottawa. Mr. Bourgon has been an invited speaker at law schools and legal conferences on matters of professional responsibility and discipline.

### Elizabeth Brown

*OIC expired October 30, 2008*

Elizabeth Brown is an Honours graduate of Humber College in Business Administration. Ms. Brown was a small business owner for a number of years before being elected first to City of Etobicoke Council in 1991, where she served two terms, and then to City of Toronto Council in 1998.

### Enza Buffa

*Tenure: 05-MAY-2004 - 04-MAY-2012*

Vicenzina Buffa served as a Customer Relationship Management Reporting Analyst in the private sector for a world-wide call center whose client is primarily Ford Motor Company. Ms. Buffa was dedicated to this company for six years where she used her communication and conflict resolution skills on a daily basis with internal and external clients. She is a certified internal ISO (International Organization for Standards) auditor and has also held various positions during her term, such as Workforce Planning and Management and Payroll Administrator.

### William Burke

*Tenure: 18-OCT-2005 - 17-OCT-2013*

William Burke was employed for more than 17 years in the municipal sector before joining the ORHT/LTB. Mr. Burke was involved in aspects of municipal standards, building inspections and law enforcement during those years. He is a member of the Ontario Association of Property Standards Officers and served on the Board of Directors of that association previously.

### Ruth Carey

*Tenure: 13-DEC-2006 - 12-DEC-2011*

Ruth Carey holds a Bachelor of Laws degree from the University of Ottawa, as well as a Bachelor of Arts in Women's Studies and a Bachelor of Science in Forestry from the University of Toronto. She was called to the Ontario Bar in 1993. She was the Executive Director of the HIV & AIDS Legal Clinic (Ontario). She has been a member of the boards of directors of a number of community based or charitable organizations including the Northumberland Social Planning Council, Pro Bono Law Ontario, and the Canadian HIV/AIDS Legal Network.

### Vincent Ching

*Tenure: 19-APR-2006 - 18-APR-2014*

Vincent Ching joined the ORHT/LTB after serving for four years as a member of the Social Benefits Tribunal. Prior to that, he held senior positions with the provincial and municipal governments for nearly 30 years. He graduated from the University of Toronto with a Masters in Social Work and more recently with a Masters in Theological Studies. He has extensive volunteer experience in the community, including serving as a board member of the Ontario Trillium Foundation and Agincourt Community Services Association.

### Brian Cormier

*Tenure: 19-APR-2006 - 18-MAY-2012*

Brian Cormier has a diverse management background attained through a 30-year career at Bell Canada. His last position at Bell was Human Resources Generalist for Ontario Provincial District. His responsibilities included employee development, employee performance review boards, industrial relations support, disability management, and health and safety. Mr. Cormier has studied at Laurentian University, Queen's University Leadership Development and the Bell Institute for Professional Development. Mr. Cormier has been an active community volunteer for over 25 years.

### Nancy Fahlgren

*Tenure: 17-JUN-1998 - 15-JUN-2012*

Nancy Fahlgren came to the ORHT/LTB with over 10 years experience in administering rental housing legislation. Professional highlights include: serving as Acting Chief Rent Officer under Rent Control Programs, adjudicating issues governed by previous housing legislation, and mediating landlord and tenant rental matters. Ms. Fahlgren studied science and languages at Nipissing University and the University of Toronto.

### Cathryn Forbes

*Resigned April 25, 2008*

Cathryn Forbes has an extensive adjudication background with the Immigration and Refugee Board and the Ontario Board of Parole. She has received vast specialized training in adjudication and tribunal practices and has a management history within the criminal justice system. Ms. Forbes has volunteered actively in her community with various boards and organizations and is a graduate of Sheridan and Mohawk Colleges.

### Bittu George *(Part-Time Member)*

*Tenure: 02-MAY-2007 - 01-MAY-2011*

Bittu George graduated from Queen's University with a Bachelor of Arts (Honours) in Political Studies, and a Bachelor of Laws. He was called to the Ontario Bar in 2002, and has been in private practice, with a focus on immigration law. Mr. George has also worked at the Ontario Ministry of Transportation and a Kingston law firm in the areas of planning, municipal and real estate law. An active member of the Kingston community for many years, Mr. George has served as a City Councillor and Deputy Mayor.

### Suparna Ghosh *(Part-Time Member)*

*Tenure: 20-JUN-2007 - 19-JUN-2009*

Prior to joining the LTB, Ms. Ghosh spent ten years at the Immigration and Refugee Board, two years at the Social Assistance Review Board and six years with the former Rent Review Hearings Board of the Ministry of Housing, as well as Rent Control Programs. Ms. Ghosh holds a Masters degree in Mathematics and a Bachelor of Arts (Honours) in mathematics, English and economics from Delhi University in India.

### Pearl Gréwal *(Part-Time Member)*

*OIC expired March 6, 2009*

For the past 31 years, Pearl Gréwal has held various roles of increasing and wide ranging responsibility in the Province's various residential tenancies regulatory schemes. From 1998 to 2007, she was a Mediator with the ORHT. From 1992 to 1998, she adjudicated disputes under the Rent Control Act. From 1987 to 1992, she adjudicated disputes under the Residential Rent Regulation Act. These roles have given her in-depth knowledge of residential tenancy law as well as extensive practical experience with quasi-judicial dispute resolution.

### Dan Helsberg

*Tenure: November 30, 2005 - May 20, 2009*

Henry Daniel Helsberg is a self-employed financial consultant. Prior to this, Mr. Helsberg was a real estate salesperson for seven years, selling residential and commercial properties in the Sudbury area. Mr. Helsberg has a Master of Arts, Economics from the University of Guelph and has completed Ph.D. course work in Urban and Regional Planning at the University of Waterloo.

### Brenna Homeniuk

*Tenure: 13-DEC-2006 - 12-DEC-2011*

Brenna Homeniuk graduated from the University of Waterloo with a Bachelor of Science, Bachelor of Arts and a Master of Arts (Psychology) and from the University of Western Ontario with a Bachelor of Laws. She was called to the Ontario Bar in 2002. Before her appointment to the ORHT/LTB, Ms. Homeniuk practised in the areas of criminal law, family law, social assistance and landlord-tenant law in south-western Ontario.

### Elke Homsi

*Tenure: 01-MAR-2006 - 28-FEB-2014*

Elke Homsi is an experienced adjudicator, who served as a member of the Immigration and Refugee Board for over 11 years before being appointed to the ORHT/LTB. Ms. Homsi was educated in Germany and immigrated to Canada in the late 60's.

### Judy Ireland *(Part-Time Member)*

*Tenure: 07-MAR-2007 - 06-MAR-2012*

Judy Ireland received a Bachelor of Arts (Honours) in history and a Master of Arts in education from the University of Toronto. Ms. Ireland was a Vice-Chair of the Social Assistance Review Board from 1992 to 1998 and a member of the Immigration and Refugee Board of Canada from 1998 to 2006. She has been a volunteer for many years in community organizations.

### Kenneth Jepson

*Tenure: April 4, 2007 - April 3, 2009*

Kenneth Jepson received a Bachelor of Arts (Honours) and Bachelor of Education from the University of Western Ontario. After teaching at the elementary and secondary school levels, Mr. Jepson obtained his law degree from the University of Toronto, Faculty of Law. He practised civil litigation and then served as Associate Counsel to the Chair for the Workplace Safety and Insurance Appeals Tribunal. Mr. Jepson has also been a member of the License Appeal Tribunal. Most recently, Mr. Jepson developed continuing legal education programs for Osgoode Hall Law School.

### Greg Joy

*Tenure: 08-JUN-2005 - 07-JUN-2013*

Greg Joy was the Olympic Silver medalist in high jump at the 1976 Montreal Olympic Games. He was Canada's athlete of the year and received the Governor General's Award. In 1978 he broke the world record with a leap of 2.31 metres. He is also a recipient of the Queen's Golden Jubilee Medal for his work in his community. He worked as a sport and fitness consultant for the government of Ontario and as a teacher, and has coached several national and international champion athletes. He was also the Executive Director of the Ottawa Food Bank and was the principle partner of a successful corporate training company. He supported several charities and has been a member of numerous boards. He graduated from the University of Toronto and has a post graduate certificate in financial analysis from the University of Western Ontario.

### Caroline King

*Tenure: 07-OCT-2004 - 06-OCT-2012*

Caroline A. A. King graduated from Glendon College, York University (bilingual stream) with an Honours degree in Canadian Studies and Political Science, then attained a Bachelor of Laws degree from the University of Western Ontario. Before her appointment to the ORHT/LTB, she practiced law for a number of years, and was active in her local community.

### Jessica Kowalski

*Resigned January 11, 2009*

Jessica Kowalski earned a law degree at Osgoode Hall Law School and was called to the Ontario bar in 1996. She practiced family law before leaving Toronto to work overseas. After working in the US, the Caribbean, Central America and Bermuda, Ms. Kowalski returned to private practice in Toronto with a focus on civil litigation, including commercial and estates litigation. Prior to her appointment as a Member of the ORHT/LTB, she was legal counsel at the Law Society of Upper Canada.

### Claudette Leslie

*Tenure: 26-APR-2006 - 25-APR-2014*

Claudette Leslie graduated from the University of Toronto with a Bachelor of Arts in English and from Centennial College with a Diploma in Journalism. Ms. Leslie is an experienced Communications and Public Relations professional who has worked in various roles including corporate and marketing communications and as a freelance writer. She has been involved in community volunteer work for more than two decades.

### Olga Luftig

*OIC expired March 6, 2009*

Olga Luftig graduated from the University of Toronto with a Bachelor of Arts (Honours) in history and political science, and a Bachelor of Education. She attained a Bachelor of Laws degree at the University of Windsor. Before her appointment to the ORHT/LTB, Ms. Luftig practised law both as a private practitioner and as the in-house Properties Lawyer for a corporation.

### Wayne MacKinnon

*Tenure: 08-DEC-2004 - 07-JAN-2014*

Wayne MacKinnon attended the University of King's College and Dalhousie University in Halifax, Nova Scotia, where he studied in the faculty of Arts and Science (Social Sciences), and then went on to do graduate work in Boston, Massachusetts. Before his appointment to the ORHT/LTB he worked for many years with the Municipality of Ottawa-Carleton and, after that, with the Government of Canada. Mr. MacKinnon was a Member of the Mayor's Advisory Committee on Visible Minorities in Ottawa and a voluntary Member of Bell Canada's Consumer Advisory Panel. He was also Chair of the Police/Community Relations Committee in Ottawa.

### Ina Maher *(Part-Time Member)*

*Tenure: 11-APR-2006 - 10-OCT-2009*

Ina Maher is a graduate of the University of Hong Kong (Bachelor of Arts (Honours), Diploma in Education and Master of Arts). Ms. Maher taught for 12 years before joining the Hong Kong Civil Service where she served in various departments until she took early retirement to immigrate to Canada in 1990. Here, she enrolled in Osgoode Hall Law School, obtaining a Bachelor of Laws degree in 1994. Ms. Maher worked for several years in the Ministry of Transportation before retiring again and becoming more involved in volunteer work.

### Ieva Martin

*Tenure: 23-JUN-2004 - 22-JUN-2012*

Ieva Martin served as Chair of the Board of Referees, the appeal tribunal for the Employment (formerly Unemployment) Insurance Commission, from 1995 to 2004. Prior to that, she was a small business owner and a member of the Board of the Clarkson Business Improvement Association. Ms. Martin was the President of the Latvian Canadian Cultural Centre. She obtained a Bachelor of Arts (Honours) in French and Canadian Studies from the University of Toronto.

### Debra Mattina

*Tenure: 11-MAY-2005 - 10-NOV-2009*

Debra Mattina is a graduate of Mohawk College in Hamilton (Business Accounting and Medical Radiological Technology) and worked as a medical radiation technologist for 20 years. In 2003, Ms. Mattina was awarded the Queen's Golden Jubilee Medal recognizing her volunteer efforts in her community over her lifetime.

### Brian McKee

*Tenure: April 2, 2003 - April 1, 2009*

Brian McKee graduated from Algonquin College, School of Business. He has held senior management positions in the private sector over the past 25 years. He also worked as a management consultant to several large corporations and privately owned businesses from 1989 to 2002.

### Jim McMaster

*Tenure: 26-OCT-2005 - 15-NOV-2011*

Jim McMaster has been an active member of his community for over 20 years. He was a Member of the Ajax council for 12 years, where he also served as the Deputy Mayor; he was the Region of Durham Finance Chairman and Budget Chief; and, he was the Vice Chair of the Toronto and Region Conservation Authority.

### Alan Mervin *(Part-Time Member)*

*Tenure: 24-OCT-2001 - 17-JUL-2013*

Alan Mervin attended York University, obtaining a Bachelor of Arts in sociology, and received a Bachelor of Laws from the University of Windsor. Mr. Mervin joined the Ontario Legal Aid Plan, now Legal Aid Ontario, where he served as a staff lawyer in a number of capacities. Mr. Mervin left Legal Aid in 1980, to enter the private practice of law with a focus on Criminal Trial Practice.

### Christina Budweth Mingay *(Part-Time Member)*

*Tenure: 02-OCT-2002 - 01-OCT-2010*

Christina Budweth Mingay graduated from McMaster University with a Bachelor of Arts and Bachelor of Laws from Queen's University. She was in private practice until 1991 with a focus on civil litigation. From 1991 to 2001, she worked with the Law Society of Upper Canada.

### Gerald Naud

*Tenure: 07-OCT-2004 - 06-OCT-2012*

Gerald Naud graduated from the University of Ottawa with a degree in civil law. Following graduation, he maintained a private practice prior to taking a position with the Government of Canada in the compliance department of Transport Canada. Mr. Naud was also involved in a successful private business for numerous years. He held the position of Director of Business Development for CCH Canadian Limited, one of Canada's leading publishers.

### Lynn Neil *(Part-Time Member)*

*Tenure: 21-APR-2004 - 20-APR-2012*

Lynn Neil is a graduate of Andrews University and the University of Ottawa with degrees in psychology and criminology. She also has diplomas in Advanced Human Resource Management from the University of Toronto, and Alternative Dispute Resolution from the University of Windsor Law School. Ms. Neil worked for 28 years for the Ontario government, during which time she directed a number of large enforcement programs in various ministries. Since her retirement she has been engaged, part-time, in consulting work, specializing in human resource management.

### Patrice C. Noé *(Part-Time Member)*

*OIC expired November 14, 2008*

Patrice Noé has been called to the bars of the provinces of Ontario and Alberta and the state of New York. She served as Solicitor for Hamilton, York and Edmonton, among her vast experience working with municipalities. She had also been a member of the local property standards committee and the committee of adjustment. Ms. Noé has had much community involvement. She was Rule of Law Liaison in Armenia for the American Bar Association and Project Director for IFES in Ukraine. Ms. Noé was a full-time Member of the ORHT/LTB up to May 29, 2007; effective May 30, 2007 she became a part-time Member.

John Nolan *(Part-Time Member)*

*Tenure: 29-NOV-2006 - 26-MAY-2011*

John Nolan attended McGill University, obtaining a Bachelor of Arts in economics and political science, and received a Bachelor of Civil Laws and a teaching diploma from the University of Ottawa. Mr. Nolan has devoted over 25 years to working with troubled youth.

Jean-Paul Pilon

*Tenure: 24-AUG-2006 - 20-FEB-2012*

Jean-Paul Pilon is a lawyer and has practised law in Kitchener, Ontario since 1997. He holds a Bachelor of Arts (Honours) in political science and urban studies from Concordia University in Montreal and a law degree from the University of Windsor. He acted as duty counsel at ORHT hearings in Kitchener. He previously taught law as an Adjunct Professor at the University of Waterloo School of Optometry. Mr. Pilon is a member of the Canadian Bar Association and the Waterloo Law Association. Although he was a part-time Member for most of the 2007-08 fiscal year, Mr. Pilon became a full-time Member on February 21, 2007.

Lloyd Phillipps

*Tenure: 15-JAN-2007 - 14-JAN-2012*

Lloyd Phillipps graduated from Carleton University with a Bachelor of Arts in law and from Loyalist College with a Diploma in paralegal studies. He taught business courses at the Community College level. He was employed with the Ontario Ministry of Health, Emergency Health Services Branch, with the Ministry of the Attorney General, where he was a Provincial Prosecutor, and with the Ministry of the Environment. While with the Ministry of the Environment, he was the recipient of awards for Innovation and Environmental Protection.

Jana Rozehnal

*Tenure: 26-APR-2006 - 25-APR-2014*

Jana Rozehnal is a graduate of the Faculty of Law of Jan Evangelista Purkyne (now known as Masaryk University) in Brno, Czech Republic, where she earned a Doctor of Law. Subsequently she graduated from the University of Toronto with a Bachelor of Laws. Prior to her appointment to the ORHT/LTB, Ms. Rozehnal was in private practice with focus on family law.

Egya Sangmuah

*Tenure: 15-JAN-2007 - 14-JAN-2012*

Egya Sangmuah graduated from the University of Toronto with a Doctorate in history, from the McGill Law School with a Bachelor of Laws, from Osgoode Hall Law School with a Master of Laws and from the University of Ghana with a Bachelor of Arts (Honours). He was a member of the Immigration Appeal Division of the Immigration and Refugee Board (IRB) from 1999 to 2006 and the Convention Refugee Determination Division of the IRB from 1996 to 1998. Prior to joining the IRB, Mr. Sangmuah was Counsel to the Ontario Ministry of Citizenship, Culture and Recreation, as well as a part-time Member of the Liquor Licence Board of Ontario. He was also a Law Clerk to the justices of the Ontario Court of Appeal.

### Freda Shamatutu

*Tenure: 21-APR-2004 - 20-APR-2012*

Freda Shamatutu holds a Bachelor of Laws degree from the University of Zambia. She practiced law in Zambia for 20 years before immigrating to Canada. Ms. Shamatutu has spent most of her professional career working for various organizations at the senior management level, including as Chief Legal Advisor and Legal Counsel for the Zambian national airline, Board Secretary and Director Support Services for Zambia Revenue Authority and Executive Director for the Advanced Legal Training Institute in Zambia (the Institute trains law graduates in bar admission courses and also provides lawyers with continuing legal education). Before her appointment as a Member to the ORHT/LTB, Ms. Shamatutu was employed as office manager for a law firm in Toronto.

### Andi Shi

*OIC expired October 31, 2008*

Andi Shi has worked in different areas. He has been a teacher, a researcher in community policing, a business manager, the executive director of a non-profit organization and a multidisciplinary consultant. He has been on the boards of a number of charitable/non-profit organizations as well. Prior to his appointment to the ORHT/LTB, he served as a Member of the Council of the College of Opticians of Ontario. He holds a Bachelor of Science from Eastern China Normal University and a Master of Science degree from the University of Regina.

### Yasmeen Siddiqui *(Part-Time Member)*

*OIC expired November 21, 2008*

Yasmeen Siddiqui served on the Immigration and Refugee Board from 1996 to 2006 as a Member, Co-ordinating Member and Acting Assistant Deputy Chair. She is a Member of the International Refugee Law Judges Association and a Member of UNHCR's International Roster of Refugee Status Determination Professionals. Ms. Siddiqui was also an anti-bias education trainer and consultant. She has a Bachelor of Arts degree from India and has studied mediation and negotiation at the University of Toronto.

### Michael G. Soo *(Part-Time Member)*

*Tenure: 15-JAN-2007 - 14-JAN-2012*

Michael G. Soo graduated from the University of Victoria with a Bachelor of Arts in history and from the University of Western Ontario with a Bachelor of Laws. Mr. Soo has practiced law in Kitchener since 2002, with a focus on criminal, family and civil litigation. He is also a part-time instructor in law-related continuing education courses at Fanshawe College in London, as well as at Conestoga College in Kitchener.

**Nina Stanwick** *(Part-Time Member effective January 15, 2009)*

*Tenure: 15-JAN-2007 - 14-JAN-2011*

Nina Stanwick has a Bachelor of Laws from the University of Windsor, as well as a Bachelor of Arts (Honours) in mathematics from the University of Guelph and a Bachelor of Education from the University of Toronto. She was called to the Ontario Bar in 1982. She was a Commissioner with the Residential Tenancies Commission, a Member of the Rent Review Hearings Board and a Rent Officer under the Rent Control Program. She was also a Member of the Immigration and Refugee Board prior to joining the ORHT/LTB.

Gerald Taylor

*Tenure: 26-SEP-2001 - 25-SEP-2012*

Gerald Taylor has many years of administrative background, having worked in the banking, automotive and information technology industries. During his career Mr. Taylor held positions of significant responsibility and decision-making. He also dedicated considerable time to community activities such as Junior Achievement, United Way, Local and Ontario Chambers of Commerce and Durham Enterprise Centre for small business.

Jeanie Theoharis

*Tenure: 13-DEC-2006 - 12-DEC-2011*

Jeanie Theoharis graduated from the University of Toronto having attained a Bachelor of Arts in commerce, economics and actuarial science. She studied law at State University of New York and University of Toronto where she received a Juris Doctorate in Law and a Bachelor of Laws. She is called to the bars of New York and Ontario. Before her appointment to the ORHT/LTB, she practised commercial litigation, construction lien law and commercial real estate at a firm in downtown Toronto.

Christopher Trueman

*Tenure: January 20, 2003 - April 22, 2009*

Christopher Trueman has been actively involved in both the public and private sectors. In 1994, he was elected as a school board trustee with the Haliburton County Board of Education. Mr. Trueman spent many years in the private sector as the owner of an equipment leasing company. In 2001, after completing studies through the University of Waterloo and Osgoode Hall Law School, he established a private practice in the field of Alternative Dispute Resolution. He is a former member of the ADR Institute of Ontario and the Association for Conflict Resolution in Washington D.C.

Elizabeth Usprich

*Tenure: 01-MAR-2006 - 28-FEB-2014*

Elizabeth Usprich attended the University of Western Ontario where she earned a Bachelor of Arts in psychology and a Bachelor of Laws. In addition to practising as a lawyer, Ms. Usprich has also taught law at the college level. She was actively involved in the London community and has sat on several boards of directors.

### Rosa Votta

*Tenure: 21-AUG-2003 - 20-AUG-2009*

Rosa Votta has worked in various departments of the provincial government, including Health, Citizenship, Culture (Tourism) and Recreation and several branches of the Ministry of Labour, namely the Health and Safety Branch and most recently the Employment Standards Branch, as an Employment Standards Officer, administering and enforcing the Employment Standards Act.

### Brad J. Wallace

*Tenure: 15-DEC-2005 - 14-DEC-2013*

Brad Wallace is a graduate of the University of Western Ontario, with a Bachelor of Arts (Honours) in politics, and the University of Windsor with a Bachelor of Laws. Before his appointment to the ORHT/LTB, Mr. Wallace practised primarily in the areas of insurance defence, plaintiff personal injury, social assistance and landlord-tenant law. Mr. Wallace is a former member of the Board of Directors of the London and Area Food Bank, and a past member of the Board for the London Training Centre.

### Karen Wallace

*Tenure: 13-DEC-2006 - 13-DEC-2011*

Karen Wallace graduated from Osgoode Hall Law School with a Bachelor of Laws. She articled with the Ministry of the Attorney General. After her call to the Ontario Bar in 1994, Ms. Wallace had her own family law practice in Toronto. From 1998 to 2006 Karen Wallace was employed by Legal Aid Ontario.

### William Weissglas *(Part-Time Member)*

*Resigned April 18, 2008*

William Weissglas graduated from Sir George Williams (Concordia) University with a Bachelor of Arts (Honours) in psychology and from Osgoode Hall Law School with a Bachelor of Laws. After his call to the Ontario Bar in 1975, he practised law in the City of Toronto until 2000. In 2000 Mr. Weissglas earned a Master of Laws Degree in Alternate Dispute Resolution and, in 2002, he was designated a Charter Mediator by the ADR Institute of Canada. Mr. Weissglas has held the position of Senior Legal Counsel to the Real Estate Council of Ontario. He is currently CEO of a mediation firm and is a part-time professor at Seneca College. Mr. Weissglas has also served as Chair of the City of Toronto Licensing Tribunal and is an instructor in the Law Society of Upper Canada's Skills & Professional Responsibility Program.

### Mike Welsh

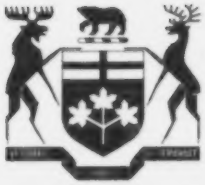
*Tenure: 08-JUN-2005 - 14-NOV-2009*

Mike Welsh is a graduate of the University of Waterloo with a Bachelor in Environmental Studies. He was Operations Manager, FedEx Logistics, at the John Deere Welland Works from 1995 to 2004. Mr. Welsh also worked as a transportation consultant and planner. He has also served as: Vice Chairman, Niagara-on-the-Lake Committee of Adjustment; Member, Niagara-on-the-Lake Irrigation Committee; Member, Niagara-on-the-Lake Fence Arbitration Committee; and, Member, Niagara-on-the-Lake Traffic and Parking Committee.

**Karol Wronecki** *(Part-Time Member)*

*Tenure: 15-JAN-2007 - 14-JAN-2012*

Dr. Karol Wronecki has degrees in law and public administration from universities in Poland and Canada. After teaching constitutional law at the University of Wroclaw and at York University in Ontario, he joined the Ontario government in 1982. For 24 years, he worked in the administrative justice system as an adjudicator and a civil servant. He adjudicated in and managed programs dealing with rent control and landlord-tenant legislation. Until December 2006 when he retired, Mr. Wronecki was the manager of Central Region of the ORHT.



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